

**SITING, RULES & ORDINANCE SUB-COMMITTEE MEETING**  
**May 15, 2014**  
**5:00 P.M.**

**MEMBERS PRESENT**

Jerry Potts  
Matt Brown  
Bill Oliver

**COUNTY PERSONNEL PRESENT**

Mike Baggett, State's Attorney's Office  
Kathy Wade, Health Department  
Jeannie Durham, County Board Office

**MEMBERS NOT PRESENT**

Tim Dudley  
Susanna Zimmerman

Meeting was called to order by Chair Jerry Potts at the Macon County Office Building.

**MINUTES**

Motion to approve the minutes of prior meeting (4-15-14) made by Bill Oliver, seconded by Matt Brown and motion carried 3-0.

**CITIZEN'S REMARKS**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

Macon County Board Resolution Approving the Recommendation of Repealing Chapter 111 of the Macon County Code

Motion to approve forwarding the resolution on to the full board with a recommendation for approval was made by Jerry Potts, seconded by Bill Oliver and the motion carried 3-0. A report will be made to the EEHW Committee.

Matt Brown requested a clarification on why the Chapter was to be repealed. Kathy Wade explained that Chapter 111 was the initial Macon County Ordinance since 1985. In 2010, a new swimming pool ordinance was passed and that is the one that is enforced. Chapter 111 talks about the Health Department permitting the facilities. She explained that the State does this, not the Health Department. It also talks about the Health Department inspecting them monthly. She said they are not inspected monthly. It is completely outdated and has been replaced with Chapter 93. Somehow both chapters were included in the County Code, so the old one, Chapter 111 needs to be repealed. Mike Baggett explained that there is a good argument that when the board passed the new swimming pool ordinance, it repealed the old one, but when the codification was passed, both chapters were included. So when the board passed the code, both ordinances were adopted. Now, the old version needs to be repealed to get it cleared out formally and permanently.

There was discussion around a question asked about building permits and swimming pools that was asked by Bill Oliver. Kathy explained that the ordinance being dealt with now is the swimming pool ordinance by itself and has nothing to do with building permits.

Jerry Potts asked if a new house was being built, if that would have any affect. Kathy said no, they do not deal with residential. She said the Health Department deals with hotels, motels, and public swimming pools, but nothing residential. She said the only time the Health Department might have something to do with residential is if it affected the septic code. There are set backs for that, but the Health Department does not inspect residential swimming pools. Mike Baggett said that there is a current, valid swimming pool ordinance which will still be in full force and effect which the Health Department is enforcing pursuant to their authority as well as the state law. This just needs to be corrected and has no effect on what they are currently doing or what they will be doing.

Bill Oliver said he still had a concern about residential pools and people getting electrical shock from them. Kathy said that they, at the Health Department have nothing to do with residential swimming pools. Jerry Potts said he wondered if that would fall under the electrical ordinance. Jennifer Hoffman, Director of Planning & Zoning was asked to come in and clarify. She explained that a couple of years ago the electrical ordinance was amended to add swimming pool language. There has to be certain bonding, they have to be inspected by the electrical inspector, etc... She explained that many times pool permits are not taken out at the same time as a building permit. The house permits are totally separate from the pool permits. Inground pools have to be signed off on by the electrician and then Jennifer said she goes out and does the final inspection.

Jerry Potts questioned about pools and septic issues. Kathy said that the Health Department does not inspect residential pools, but would assure that the septic system, the tank & lateral field is so far away from the actual pool. She said you don't want the pool on top of the septic system because then you'll crush your field and have a failing septic system.

The motion carried 3-0.

### **CLOSED SESSION**

None

### **ADJOURNMENT**

Motion to adjourn made by Jerry Potts, seconded by Bill Oliver and motion carried 3-0 and the meeting adjourned at 5:25 p.m.

Minutes submitted by Jeannie Durham  
Macon County Board Office